

**RECEIVED
CENTRAL FAX CENTER****MAR 22 2007**Attorney's Docket: 2003DE111
Serial No.: 10/553,819
Group: 1713REMARKS

The Office Action mailed January 5, 2006, has been carefully considered together with the reference cited therein. The amendments and remarks presented herein are believed to be fully responsive to the Office Action. The amendments made herein are fully supported by the application as originally filed. No new matter has been added. Accordingly, reconsideration of the present Application in view of the above amendments and following remarks is respectfully requested.

CLAIM STATUS

Claims 1-13 are pending in this Application. By this Amendment, claims 1, 5, 9 and 10 have been amended. Claim 8 has been cancelled. New claim 14 has been added, the basis for which can be found, *inter alia*, on page 3, lines 17-21. Therefore, the claims under consideration are believed to include claims 1-7 and 9-14.

Claim Rejections Under 35 USC § 112, First Paragraph

Claims 1-11 stand rejected under 35 USC § 112, first paragraph as failing to comply with the enablement requirement. The Office finds that claim 1 recites "an energy input reduced by at least 20% as compared with the corresponding uncoated pigment." The Office is of the position that this statement is not enabled by the specification. Claim 1 has been amended, deleting the subject statement. In view thereof, it is respectfully contended that the 35 USC § 112, first paragraph rejection has been overcome.

Claim Rejections Under 35 USC §§ 102 and 103

Claims 1-13 stand rejected under 35 USC § 102(a) as being anticipated by or, in the alternative, under 35 USC § 103(a) as being obvious over Morrison et al. (US 20002/0086916). This rejection is respectfully overcome.

As defined by amended independent claim 1, Applicants provide a method of pigmenting a solventborne, nonaqueous organic coating material. As can be seen

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from amended claim 1, the subject matter of now cancelled claim 8 has been inserted therein. Such additional subject matter states as follows:

wherein the finely divided organic pigment coated with at least one amino-containing (meth)acrylate copolymer is obtained by mixing an aqueous, finished presscake of the organic pigment with water, deagglomerating the water and presscake in a static mixer in the presence of the at least one amino-containing (meth)acrylate copolymer to form a deagglomerated mixture, subjecting the deagglomerated mixture to steam distillation to form a solid, isolating the solid by filtration, and drying the solid to form the finely divided organic pigment coated with at least one amino-containing (meth)acrylate copolymer

The Examiner is of the position that claim 8 reads on the flush process of Morrison, Section [0041]. Applicants respectfully can not agree. Morrison does not disclose or suggest a method step of "steam distillation" as is now claimed by Applicants. Such step, *inter alia*, enables the production of easily dispersible coated pigment particles (see Applicants' Specification, Examples 1-3).

For at least this reason it is respectfully contended that Applicants' invention is not anticipated by Morrison.

Turning to obviousness, Section [0041] of Morrison discloses a "flush treatment". This flush treatment does in no way provide the ordinary artisan with the motivation to employ Applicants' steam distillation step as claimed in the instant invention. Moreover, as the steam distillation step of Applicants' process provides for the easily dispersible coated pigment particles, and, given the fact that such step is nowhere taught in Morrison, it is also clear Morrison does not provide for easily dispersible coated pigment particles. The Office's attention is respectfully directed to Section [0046] of Morrison wherein it is stated:

Any number of methods may be used for effecting particle size reduction of the pigment in preparation of the gel liquid toners. Some suitable methods include high shear homogenization, ball-milling, attritor milling, high energy bead (sand) milling or other means known in the art.

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It can be seen from the teachings of Morrison, all of the particle size reduction methods disclosed therein require some form of high shear or energy force. Consequently, high energy must be applied to effect an adequate dispersion in the liquid application medium. This is contrary to Applicants' invention, wherein, as can be seen from the examples, accomplish easily dispersed coated pigment particles with a reduced energy input.

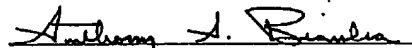
In view of the above, it is respectfully contended that Morrison does not disclose, teach or suggest every element of Applicants' invention. Moreover, there exists no motivation for one with ordinary skill in the art to arrive at the instantly claimed invention by modification of Morrison. For this reason, it is Applicants' courteous position that the instantly claimed invention is not made obvious by Morrison.

For all the forgoing reasons, it is respectfully contended the 35 USC § 102/103 rejections have been overcome. In consequence, Applicants courteously solicit reconsideration and withdrawal of the rejection.

As the total number of claims does not exceed the number of claims originally paid for, no fee is believed due. However if an additional fee is required, the Commissioner is hereby authorized to credit any overpayment or charge any fee deficiency to Deposit Account No. 03-2060.

In view of the forgoing amendments and remarks, the present Application is believed to be in condition for allowance, and reconsideration of it is requested. If the Examiner disagrees, she is requested to contact the attorney for Applicants at the telephone number provided below.

Respectfully submitted,



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